



Town of Tyngsborough

Board of Appeals

Town Hall-25 Bryants Lane
Tyngsborough, Ma 01879-1003
(978) 649-2300, Ext. 112

Board of Appeals Minutes from April 13, 2006
6:30 PM

Members Present: Gary Ralls, Claire Cloutier, Chris Mechalides and Cheryl Bradley.

Members Absent :Robb Kydd and Eileen Farrell.

Continued from Feb. 9, 2006

Thomas Lantry, 50 Mission Rd., Map 29, Parcel 56, request for variance, special permit and a party as aggrieved of a decision made by the Building Commissioner- garage is being used as dwelling unit. R-1 Zone, 1.16.00,2.15.21,2.11.30.

Mark Dupell, Building Inspector could not attend this meeting and requested to have this hearing continued to June 8, 2006 at 6:30 PM

Motion to continue hearing to June 8, 2006 by Chris Mechalides. Seconded by Claire Cloutier. Vote 4-0.

Continued from March 9, 2006

Ominipoint Communications, Inc., T-Mobile USA Inc., 50 Coburn Rd., Map 26, parcel 33. Request variance and special permit to install, operate, and maintain a wireless communications facility, including without limitation, a 150' monopole, antennas, ground equipment, and fenced compound. R-1 Zone, sections 4.16, 2.12,2.15.22.

Due to only four voting members tonight. The parties agreed to continue this hearing to May 11, 2006.

Motion to continued hearing to May 11, 2006 by Mechalides. Seconded by Cloutier. Vote 4-0.

Regular Scheduled Hearings

A & G Real Estate Development, LLC, 63 Coburn Rd., Map 26, parcel 41, request special permit for 2nd floor addition. R-1 Zone, section 2.15.22, 2.15.24.

Legal notice read. Advertised in the Lowell Sun on March 30 & April 6, 2006. Application read. Motion to waive the reading of the abutters list by Claire Cloutier. Seconded by Mechalides. No challenges to the legal notice or abutter notification.

No abutters were present to speak for or against the applicant.

Application presented by Atty. James Harrington and Scott Georgeoulis.

Motion to close the public portion of the hearing by Chris Mechalides. Seconded by Cloutier. Vote 4-0.

Discussion that this will be an improvement to the neighborhood.

Motion to approve application as submitted by Chris Mechalides. Seconded by Claire Cloutier. Vote 4-0.

Martha & James Fisette, 12 Lemire Ave., Map 26, parcel 25, request special permit for a 2nd level house on the same footprint. R-1 Zone, sections 2.15.22, 2.15.24.

Legal notice read. Advertised in the Lowell Sun on March 30 & April 6, 2006. Application read. Motion to waive the reading of the abutters list by Mechalides. Seconded by Cloutier. Vote 4-0. No challenges to the legal notice or abutter notification.

Applicant requested to continue hearing to May 11, 2006 at 6:30 PM.

Motion to continue hearing to May 11, 2006 by Mechalides. Seconded by Cloutier. Vote 4-0.

Jessie Murray, 23 Beech St., Map 26A, parcel 177, request special permit on height for 2nd level on house and variance on the front, side yard setbacks to construct a new single family dwelling. Existing house to be razed. R-2 Zone, sections 2.15.22, 2.15.24, 2.12.50.

Legal notice read. Advertised in the Lowell Sun on March 30 & April 6, 2006. Application read. Motion to waive the reading of the abutters list by Claire Cloutier. Seconded by Chris Mechalides. Vote 4-0. No challenges to the legal notice or abutter notification.

No abutters were present to speak for or against the application.

Application presented by James Patierno. He had a copy of the deed. He purchased the property from Jessie Murray.

Motion to close the public portion of the hearing by Chris Mechalides.. Seconded by Claire Cloutier. Vote 4-0.

Motion to approve application to raze existing house and replace with proposed house. Increase for a second story and side yard setbacks and area by Chris Mechalides. Seconded by Cloutier. Vote 4-0 . Approved.

Nicole Duey, 85 Mascuppic Trail, Map 32B, parcel 15, request rear, right, left side yard set backs for the construction of a 10'x20. 5' deck. R-2 Zone, sections 2.12.50, 2.12.47.

Legal notice read. Advertised in the Lowell Sun on March 30 & April 6, 2006. Application read. Motion to waive the reading of the abutters list by Cloutier. Seconded by Mechalides.. No challenges to the legal notice or abutter notification.

Seven abutters were present to speak for the applicant. One abutter spoke against the application.

Nicole Duey presented the application.

Motion to close the public portion of the hearing by Chris Mechalides. Seconded by Cheryl Bradley. Vote 4-0.

Motion to approve application as submitted by Cloutier. Seconded by Cheryl Bradley. Vote 4-0.

Other Business:

Maple Ridge Development- Walter Ericksen request for modification of Comprehensive Permit to allow the construction of a clubhouse area for age-restricted homes. See letter dated Feb. 23, 2006 requesting modification of Comprehensive permit for Maple Ridge Dev. To allow for the construction of a clubhouse area for our age restricted homes.

Motion to allow of Comprehensive Permit for Maple Ridge Dev. to allow the construction of the club house area for the age restricted homes. Motion to approve by Chris Mechalides. Seconded by Cheryl Bradley. Vote 3-0.

Note- Claire Cloutier abstained from voting.

Approve minutes *from* March 9, 2006- Motion to approve minutes by Gary Ralls. Seconded by Cloutier. Vote 4-0.